AN

PTO/SB/21 (09-04)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEB 2 2 2007		Application Number		10/808,681		
		Filing Date		March 25, 2004		
		First Named Inventor		Figdor et al.		
P 2 2 2007		Art Unit		1643		
d logbe usegoor all correspondence after i	Examiner Name	Examiner Name		S. Rawlings		
Total Number of Pages in This Submission 5		Attorney Docket Number		2578-4230.1US (0029 US 01 CON)		
ENCLOSURES (check all that apply)						
Fee Transmittal Form	Drawing(s				After Allowance Communication to TC	
Fee Attached	Licensing-related Papers			Appeal Communication to Board of Appeals and Interferences		
Response to Restriction/Election of Species Requirement dated January 17, 2007	Petition			Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)		
After Final	Petition to Convert to a Provisional Application			Proprietary Information		
Affidavits/declaration(s)	Power of Attorney, Revocation Change of Correspondence Address			Status Letter		
Extension of Time Request	Terminal Disclaimer			Other Enclosure(s) (please identify below):		
Express Abandonment Request	Request for Refund CD, Number of CD(s)					
Information Disclosure Statement	Landscape Table on CD					
Certified Copy of Priority Document(s)	Remarks					
Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR1.52 or 1.53	The Commissioner is authorized to charge any additional fees required but not submitted with any document or request requiring fee payment under 37 C.F.R. §§ 1.16 AND 1.17 TO Deposit Account 20-1469 during pendency of this application.					
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT						
Firm	TraskBritt, P.C.					
Signature	Vupel					
Printed Name	Krista Weber Powell					
Date	February 20, 2007 Reg. No.			47,867		
CERTIFICATE OF TRANSMISSION/MAILING						
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.						
Signature Lin Lewson						
Typed or printed name   Leta M. Howard   Date   February 20, 2007						

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## In re Application of:

Figdor et al.

Serial No.: 10/808,681

Filed: March 25, 2004

For: MELANOMA ASSOCIATED PEPTIDE ANALOGUES AND VACCINES

AGAINST MELANOMA

Confirmation No.: 6537

Examiner: S. Rawlings

Group Art Unit: 1643

Attorney Docket No.: 2578-4230.1US

(0029 US 01 CON)

#### CERTIFICATE OF MAILING

I hereby certify that this correspondence along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail on the date of deposit shown below with sufficient postage and in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

February 20, 2007 Date

Leta M. Howard

Name (Type/Print)

# RESPONSE TO RESTRICTION/ELECTION OF SPECIES REQUIREMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This amendment is in response to the Restriction/Election of Species Requirement of January 17, 2007, having an initial period of response expiring on February 20, 2007, February 17, 2007, being a Saturday and February 19, 2007, being a Federal Holiday.

Claims 1-16 are currently pending in the application and subject to a Restriction/ Election of Species Requirement. Applicants hereby elect, without traverse, to prosecute the claims of Group I, claims 1-4, 6, 7, and 10.

The claims were further subjected to an election of species requirement among the following species:

- (a) a peptide comprising at least part of the amino acid sequence of SEQ ID NO: 1, wherein the original amino acid at position 2 thereof is substituted by valine;
- (b) a peptide comprising at least part of the amino acid sequence of SEQ ID NO: 1, wherein the original amino acid at position 2 thereof is substituted by valine and the original amino acid at position 8 thereof is substituted by alanine;
- (c) a peptide comprising at least part of the amino acid sequence of SEQ ID NO: 1, wherein the original amino acid at position 2 thereof is substituted by isoleucine and the original amino acid at position 8 thereof is substituted by alanine; and
- (d) a peptide comprising at least part of the amino acid sequence of SEQ ID NO: 1, wherein the original amino acid at position 2 thereof is substituted by leucine and the original amino acid at position 8 thereof is substituted by alanine.

Applicants elect the species of group "(a)" a peptide comprising at least part of the amino acid sequence of SEQ ID NO: 9, wherein the original amino acid at position 2 thereof is substituted by valine.

Claims 1, 6, 7 and 10 read on the elected species. Further, Applicants submit that claim 1 is generic. Applicants note that upon allowance of generic claim 1, claims 2, 3 and 4 would also be allowable.

Applicants respectfully request a prompt action on the merits of claims 1, 6, 7 and 10.

## **CONCLUSION**

An early Office Action on the merits is respectfully solicited.

Respectfully submitted,

Krista Weber Powell Registration No. 47,867 Attorney for Applicants

TRASKBRITT P.O. Box 2550

Salt Lake City, Utah 84110-2550

Telephone: 801-532-1922

Date: February 20, 2007

KWP/lmh
Document in ProLaw